

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

Crl. Misc. M-1036 of 2018 (O&M)
Date of Decision: March 15, 2018

Surender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Atul Yadav, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.386 dated 17.09.2017, under Sections 354-A, 452 of Indian Penal Code and Section 8 of POCSO Act, registered at Police Station Bilaspur, District Gurugram.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 13.10.2017. It is argued that the petitioner is falsely implicated in the present case, as there are major contradictions in the FIR itself. It is submitted that the investigation is complete in the matter, as the challan has been presented and charges have been framed. It is also contended that conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer, opposes the grant of regular bail to the petitioner, however, does not dispute the fact that matter is now fixed for PWs before the trial court.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 13.10.2017 and that investigation is complete in the matter, as challan has been presented and charges have been framed, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

March 15, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No